IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6577 of 2007()

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CRIME NO.675 OF 2007 OF KOCHI CUSBA POLICE STATION

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: PETITIONER/2ND ACCUSED

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T.T.SAYAMKUMAR, AGED 33 YEARS,
W/O.E.R.THANKAPPAN, THOPPUPARAMBIL HOUSE,
P.D.ROAD, PALLURUTHY P.O. COCHIN - 6.

BY ADV. SRI.VINOD KUMAR.C

RESPONDENTS:

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STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
(CRIME NO.675 OF 2007 OF KOCHI CUSBA POLICE STATION).

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R.BASANT, J**

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**B.A.No.6577 of 2007**

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**Dated this the 31st day of October, 2007**

**ORDER**

Application for anticipatory bail. The petitioner is the 2nd accused. The 1st accused is the wife of the defacto complainant. She is a business partner of the petitioner. The defacto complainant, after he returned from his place of employment abroad, has made allegations against his wife and the petitioner herein. Crime has been registered under Sections 420 and 497 I.P.C. The crime was registered on the basis of a private complaint filed by the defacto complainant. The 1st accused had come to this Court with an application for anticipatory bail and this Court, by order dated 22.10.07 in B.A.No.6377 of 2007, has granted anticipatory bail to the 1st accused. I have already adverted to facts in detail in that order. This order must be read in continuation of the said order. I am not hence adverting to facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner herein can also be granted anticipatory bail subject to identical conditions as were imposed on the co-accused.

3. In the result, the Bail Application is, allowed. The following directions are issued under Section 438 Cr.P.C.

i) The petitioner shall appear before the learned Magistrate at 11 a.m on 07.11.2007. He shall be enlarged on regular bail on his executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 3 p.m on 08.11.2007 and 09.11.2007 and thereafter as and when directed by the Investigating Officer in writing to do so;

iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law as if those directions were not issued at all;

iv) If the petitioner were arrested prior to his surrender on 07.11.07 as directed in clause (1) above, he shall be released from custody on his executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) without any sureties undertaking to appear before the learned Magistrate on 07.11.07.

**(R.BASANT, JUDGE)**

rtr/-